

**David B. Markowitz, OSB #742046**  
DavidMarkowitz@MarkowitzHerbold.com  
**Laura Salerno Owens, OSB #076230**  
LauraSalerno@MarkowitzHerbold.com  
**Harry B. Wilson, OSB #077214**  
HarryWilson@MarkowitzHerbold.com  
**Lauren F. Blaesing, OSB #113305**  
LaurenBlaesing@MarkowitzHerbold.com  
**Vivek A. Kothari, OSB #182089**  
VivekKothari@MarkowitzHerbold.com  
MARKOWITZ HERBOLD PC  
1455 SW Broadway, Suite 1900  
Portland, OR 97201  
Telephone: (503) 295-3085  
*Special Assistant Attorneys General for Defendants*  
*Additional Counsel of Record Listed on Signature Page*

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
EUGENE DIVISION

WYATT B. and NOAH F. by their next friend  
Michelle McAllister; KYLIE R. and ALEC R.  
by their next friend Kathleen Megill Strek;  
UNIQUE L. by her next friend Annette Smith;  
SIMON S. by his next friend Paul Aubry;  
RUTH T. by her next friend Michelle Bartov;  
BERNARD C. by his next friend Ksen Murry;  
NAOMI B. by her next friend Kathleen  
Megill Strek; and NORMAN N. by his next  
friend Tracy Gregg, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

TINA KOTEK, Governor of Oregon in her  
official capacity; FARIBORZ  
PAKSERESHT, Director, Oregon Department  
of Human Services in his official capacity;  
APRILLE FLINT-GERNER, Director, Child  
Welfare in her official capacity; and OREGON  
DEPARTMENT OF HUMAN SERVICES,

Defendants.

Case No. 6:19-cv-00556-AA

**DEFENDANTS' OBJECTIONS TO  
PLAINTIFFS' DEPOSITION  
DESIGNATIONS**

**TABLE OF CONTENTS**

	<b><u>Page</u></b>
INTRODUCTION .....	3
SPECIFIC OBJECTIONS .....	4
Nancy Allen (August 29, 2023) .....	4
Lacey Andresen (June 15, 2023) .....	6
Uma Ahluwalia (March 19, 2024) .....	8
Stacey Ayers (December 1, 2021) .....	10
Stacey Ayers (May 16, 2022) .....	14
Jim Dimas (March 13, 2024) .....	16
Aprille Flint-Gerner (September 12, 2023) .....	17
Sara Fox (September 14, 2023) .....	19
Kevin George (December 10, 2020) .....	27
Rebecca Jones Gaston (March 15, 2022) .....	28
Rebecca Jones Gaston (June 28, 2022) .....	29
Kim Keller (September 13, 2023) .....	29
Deena Loughary (September 11, 2023) .....	30
Glenda Marshall (September 7, 2023) .....	39
Bowen McBeath (April 19, 2024) .....	42
Stacey Moss (March 18, 2024) .....	42
Fariborz Pakseresht (September 15, 2023) .....	42
Cynthia Richter-Jackson (March 29, 2024) .....	44
Peter Rosenblatt (December 17, 2020) .....	44
Sarah Vinson (April 25, 2024) .....	45
Desta Walsh (February 26, 2021) .....	45

## INTRODUCTION

Pursuant to the Court's April 19, 2024 Minute Order (ECF 382) adopting the Stipulated Amended Case Schedule (ECF 377), defendants hereby provide the following objections to plaintiffs' deposition designations.

Defendants object to plaintiffs' deposition designations as identified below. In addition to the specific objections set forth below, defendants object to each and every one of plaintiffs' deposition designations to the extent they fail to include: (a) the question to which the designated testimony was provided, (b) the deponent's complete answer, or (c) partial questions and responses of the stated deponent. Fed. R. Civ. P. 32(a)(6); Fed. R. Evid. 401; Fed. R. Evid. 403. Without designating the questions to which a deponent's testimony was offered, plaintiffs' designations lack context and fail to make any fact of consequence more or less probable. *See* Fed. R. Evid. 401. All designations which fail to include the questioner's preceding question, or which involve only a partial question or response, are confusing, misleading, and more prejudicial than probative. In that regard, such partial question and answer designations are inadmissible under Fed. R. Evid. 403.

Defendants also object to deposition designations being identified for witnesses who are expected to be available to testify and have been identified on either defendants' or plaintiffs' witness lists (Lacey Andresen, Aprille Flint Gerner, Deena Loughary, Fariborz Pakseresht, Sara Fox, Jim Dimas, Stacey Moss, Uma Ahluwalia, Kim Keller, Sarah Vinson, Bowen McBeath, and Cynthia Richter-Jackson). Defendants move to strike these deposition designations.

Furthermore, as the parties continue to make their pre-trial filings, defendants reserve the right to supplement these objections as necessary.

**SPECIFIC OBJECTIONS**

<b>Nancy Allen (August 29, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
General objection	Ms. Allen's deposition may not be used at trial for any purpose other than for impeachment or to contradict her testimony under FRCP 32(a)(2). Ms. Allen is not a party, agent or designee under FRCP 32(a)(3) and Ms. Allen is not unavailable under FRCP 32(a)(4). Furthermore, witness is not on plaintiffs' witness list.	FRCP 32(a)(3), (4)
6:5-18		
8:19-23		
13:17-25	Lacks foundation.	FRE 901
14:1-25	Lacks foundation.	FRE 901
15:1-9	Lacks foundation.	FRE 901
26:17-25		
27:1-15		
32:5-25	Hearsay, witness did not take notes to the attended meeting. Discussion of document without description of the document.	FRCP 32(a)(6) FRE 401 FRE 403 FRE 901
33:1-25	Hearsay, witness did not take notes to the attended meeting. Discussion of document without description of the document.	FRCP 32(a)(6) FRE 401 FRE 403 FRE 901
34:1-11	Hearsay, witness did not take notes to the attended meeting. Discussion of document without description of the document.	FRCP 32(a)(6) FRE 401 FRE 403 FRE 901
37:10-25	Calls for speculation.	FRCP 32(a)(6) FRE 403
38:1-5		
43:25	References document without including source or description of the document being quoted, making testimony vague, and more prejudicial than probative.	FRE 403

<b>Nancy Allen (August 29, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
44:1-22	References document without including source or description of the document being quoted, making testimony vague, and more prejudicial than probative.	FRE 403
46:23-25	References document without including source or description of the document being quoted, making testimony vague, and more prejudicial than probative.  Lack of foundation, vague. Witness has never seen document before.	FRE 401 FRE 403 FRE 901  FRCP 32(a)(6)
47:1-24	References document without including source or description of the document being quoted, making document vague, and more prejudicial than probative.  Lack of foundation, vague. Witness has never seen document before.	FRE 401 FRE 403 FRE 901 FRCP 32(a)(6)
49:24-25	References document without including source or description of the document being quoted, making document vague, and more prejudicial than probative.  Lack of foundation, vague, hearsay. Witness has never seen document before.	FRCP 32(a)(6) FRE 401 FRE 403 FRE 802 FRE 901
50:1-25	References document without including source or description of the document being quoted, making document vague, and more prejudicial than probative.  Lack of foundation, vague, hearsay. Witness has never seen document before.	FRCP 32(a)(6) FRE 401 FRE 403 FRE 802 FRE 901
53:3-25	Question misstates witness testimony.  Lack of foundation, vague, hearsay. Witness has never seen document before.	FRCP 32(a)(6) FRE 401 FRE 403 FRE 802 FRE 901

<b>Nancy Allen (August 29, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
81:7-25	Lack of foundation, vague, hearsay. Misstates prior testimony making document vague, and more prejudicial than probative.	FRCP 32(a)(6) FRE 401 FRE 403 FRE 802 FRE 901
82:1-6	Lack of foundation, vague, hearsay. Misstates prior testimony making document vague, and more prejudicial than probative.	FRE 401 FRE 403 FRE 901
89:16-25	Misstates prior testimony, asks for an expert opinion.  Failure to designate complete answer is responsive.	FRE 403 FRE 701 FRCP 32(a)(6)
90:1-8	Misstates prior testimony, asks for an expert opinion  Failure to designate complete answer is responsive.	FRE 403 FRE 701 FRCP 32(a)(6)

<b>Lacey Andresen (June 15, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
16:2-17:9		
17:10-24		
23:2-9		
24:10-25:8		
25:20-33:16		
37:2-21		
37:25-41:11		
41:12-42:25		
43:10-45:15		
46:8-47:15		
53:16-56:22		
57:2-18		

<b>Lacey Andresen (June 15, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
74:19-75:14		
93:24-94:24		
95:1-103:5		
104:5-106:17	<p>Failure to designate an answer responsive to the designated question.</p> <p>Designation is a comment from questioning party who has not been administered oath.</p>	<p>FRE 401</p> <p>FRE 403</p> <p>FRE 603</p>
109:2-110:2		
113:8-117:23		
120:18-121:18		
127:15-129:9		
138:10-140:14		
140:15-141:8		
141:9-142:15		
144:2-7		
150:3-153:18		
<b>Andresen Exhibit 1</b> (Wyatt_DHS_2758330)		
<b>Andresen Exhibit 2</b> (Wyatt_DHS_0059767)		
<b>Andresen Exhibit 3</b> (Child Welfare Division progress report for 4/2023)		

**Lacey Andresen (June 15, 2023)**

<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
<b>Andresen Exhibit 4</b> (Wyatt_DHS_2758325)		
<b>Andresen Exhibit 5</b> (Wyatt_DHS_2758326)		
<b>Andresen Exhibit 6</b> (Wyatt_DHS_275827)		
<b>Andresen Exhibit 7</b> (Wyatt_DHS_275833)		
<b>Andresen Exhibit 10</b> (Wyatt_DHS_2716760)		

**Uma Ahluwalia (March 19, 2024)**

<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
General objection	Ms. Aluwalia's deposition may not be used at trial for any purpose other than for impeachment or to contradict her testimony under FRCP 32(a)(2). Ms. Aluwalia is not a party, agent or designee under FRCP 32(a)(3) and Ms. Aluwalia is not unavailable under FRCP 32(a)(4). Furthermore, witness is not on plaintiffs' witness list.	FRCP 32(a)(2)-(4)
12:4-13:5	The question is more confusing than probative because testimony has not been designated to give context to what is being referred to.	FRCP 32(a)(6) FRE 401/403
21:14-23:7	The question is more confusing than probative because testimony has not been designated to give context to what is being referred to.	FRCP 32(a)(6) FRE 401/403



Uma Ahluwalia (March 19, 2024)		
Cite	Objections	Grounds for Objections
25:23-27:15	The question is more confusing than probative because testimony has not been designated to give context to what is being referred to.	FRCP 32(a)(6) FRE 401/403
29:9-16		
32:15-21	The question is more confusing than probative because testimony has not been designated to give context to what is being referred to.	FRCP 32(a)(6) FRE 401/403
40:10-41:1		
41:2-19		
44:20-45:4	Objection with respect to 44:20-21, because the complete question is not designated and more additional context—which has not been designated—is necessary to understand the question and answer.  Therefore the question is more confusing and prejudicial than probative.	FRCP 32(a)(6) FRE 401/403
53:5-54:5	Failure to designate the first question, making witness' answer on 53:3 more confusing and prejudicial than probative.	FRCP 32(a)(6) FRE 401/403
55:16-56:4	With respect to 55:16-20, object based on as the question is more confusing and prejudicial than probative because the question is vague.	FRCP 32(a)(6) FRE 401 FRE 403
56:16-57:19	With respect to 57:14-17, object because only a portion of the witness's response is designated and admission of this partial response is more confusing and prejudicial than probative.  Further, counsel objected to the question posed on the record (57:6-13) that the question calls for a legal conclusion and plaintiffs' designation omits the witness's response that she cannot speak to the legal issues here.	FRCP 32(a)(6) FRE 401 FRE 403
59:22-60:9	With respect to 59:22-23, object because plaintiffs have failed to designate the question and first part of the witness' response, rendering the response more confusing and prejudicial.	FRCP 32(a)(6) FRE 401 FRE 403

Uma Ahluwalia (March 19, 2024)		
Cite	Objections	Grounds for Objections
61:16-24	With respect to 61:16-20, object to compound question. Furthermore, the question is more confusing and prejudicial than probative.	FRCP 32(a)(6) FRE 401 FRE 403
62:19-22	With respect to 60:19, the question is more confusing and prejudicial than probative because plaintiffs designated only the word “reviewed” rather than the entire question. Further, the question “do you know how many you reviewed” is vague.  With respect to 60:21-22, this question is more confusing and prejudicial than probative because plaintiffs failed to designate the witness’s response to the question. Further, object based on FRE 601 because counsel is not under oath.	FRCP 32(a)(6) FRE 401 FRE 403
63:24-64:3		
Ahluwalia Exhibit 2 (Wyatt_HM A_00000027 )		

Stacey Ayers (December 1, 2021)		
Cite	Objections	Grounds for Objections
38:18-20		
40:1-10; 18-20		
42:2-8; 19-21	Failure to designate portion of the question to which answer is responsive.  Without the stated question, the testimony lacks relevance and is more prejudicial than probative.	FRCP 32(a)(6) FRE 401/403
43:5-12		
44:21-24		
52:19-25		

<b>Stacey Ayers (December 1, 2021)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
53:1; 10-15; 19-25	Stated designation includes only part of deponent's answer.  With only a partial answer, the testimony lacks relevance and is more prejudicial than probative.	FRCP 32(a)(6) FRE 401/403
54:1-20		
56:3-9		
57:4-19		
62:6-14		
63:19-25		
64:1-7; 17-25	Stated designation includes only part of deponent's answer.  With only a partial answer, the testimony lacks relevance and is more prejudicial than probative.	FRCP 32(a)(6) FRE 401/403
65:1-25		
66:1-25		
67:1-25		
68:1-25		
69:1-25		
70:1-25		
71:1-9; 15-25		
72:1-25		
73:1-7; 23-25		
74:1-20		
75:12-20		
76:11-20		
77:10-25		
78:1-21	Stated designation includes only part of deponent's answer.	FRCP 32(a)(6) FRE 401/403

Stacey Ayers (December 1, 2021)		
Cite	Objections	Grounds for Objections
	With only a partial answer, the testimony lacks relevance and is more prejudicial than probative.	
79:1-8		
82:10-25		
83:1-25		
84:1-25		
85:1-12; 23-25		
86:1-25		
87:4-14	<p>Stated designation includes only part of deponent's answer.</p> <p>With only a partial answer, the testimony lacks relevance and is more prejudicial than probative.</p>	FRCP 32(a)(6) FRE 401/403
88:6-24		
89:7-25		
90:1-5		
91:8-11; 16-18		
93:15-25		
94:1	<p>Stated designation includes only part of deponent's answer.</p> <p>With only a partial answer, the testimony lacks relevance and is more prejudicial than probative.</p>	FRCP 32(a)(6) FRE 401/403
95:25		
96:1-11; 24-25		
97:1-6; 22-25		
98:1-11; 20-21		
99 8-22		
100:3-5		

Stacey Ayers (December 1, 2021)		
Cite	Objections	Grounds for Objections
105:13-15		
107:2-7; 9-25		
108:10-20		
110:21-25	<p>Failure to designate complete question to which answer is responsive and stated designation includes only part of question.</p> <p>Without the stated complete stated question and no answer, the testimony lacks relevance and is more prejudicial than probative.</p> <p>Designation includes a comment from questioning party who has not been administered oath.</p>	<p>FRCP 32(a)(6) FRE 401/403</p> <p>FRE 603</p>
112:18-24		
113:6-8; 24-25		
114:1-2; 114:13-21	<p>Stated designation includes only part of deponent's answer.</p> <p>With only a partial answer, the testimony lacks relevance and is more prejudicial than probative.</p>	
116:1-7		
118:1-25		
119:1-2; 20-25		
120:1-21		
121:19-25		
122:1-23		
123:9-25		
124:1-25		
125:1-2		
126:9-25		
127:1-16		

Stacey Ayers (December 1, 2021)		
Cite	Objections	Grounds for Objections
135:15-25		
136:1-20		
161:15-24		
162:7-15		
163:16-23		
190:10-20		
212:20-25		
213:1-9		
214:3-25		
215:1-25		
216:1-25		
217:1-12		
218:14-25		
219:1-6; 17-25		
220:1-11		
<b>Exhibit.342</b>		
<b>Exhibit 343</b>		

Stacey Ayers (May 16, 2022)		
Cite	Objections	Grounds for Objections
General objection	The entire deposition transcript is inadmissible under FRE 804(b)(1) because this is prior testimony from another case and therefore hearsay not subject to any exception because Ms. Ayers is not unavailable.	
9:4-8		
10:22-25		
11:1-25		
12:1-25		

Stacey Ayers (May 16, 2022)		
Cite	Objections	Grounds for Objections
13:1-13		
14:10-14		
23:3-25	The question is missing key context and is more confusing and prejudicial than probative.	FRCP 32(a)(6) FRE 401/403
24:1-25		
25:1-8		
28:18-25		
29:1-25		
30:1-21		
32:14-25		
33:1-8		
49:18-25		
50:1-2; 22-25		
51:1-12		
53:1-8; 19-25		
54:1-7		
55:1-25		
56:1-3; 9-21		
57:17-20		
69:14-24		
62:11-25		
63:1-25		
64:1-8; 12-25		
65:1-12	Stated designation includes only part of deponent's answer.  With only a partial answer, the testimony lacks relevance and is more prejudicial than probative.	FRCP 32(a)(6) FRE 401/403
66:14-25		

<b>Stacey Ayers (May 16, 2022)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
67:1-8		

<b>Jim Dimas (March 13, 2024)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
General objection	Plaintiffs may not use Mr. Dimas' deposition at trial, except to impeach or contradict his testimony under FRCP 32(a)(2), because Mr. Dimas is not a party, agent or designee under FRCP 32(a)(3) and Mr. Dimas is not unavailable under FRCP 32(a)(4).	FRCP 32(a)(2)-(4) FRE 802
41:6-42:1		
52:7-23		
53:3-54:11		
64:11-68:21		
83:24-84:17		
89:14-90:4	The question is more confusing than probative because testimony has not been designated to give context to what is being referred to.	FRCP 32(a)(6) FRE 401 FRE 403
92:16-93:4		
93:20-96:13		
100:7-102:1		
104:4-21	The question is more confusing than probative because testimony has not been designated to give context to what is being referred to.	FRCP 32(a)(6) FRE 401 FRE 403
108:14-110:22		
111:8-112:23		
114:12-115:7	The question is more confusing than probative because testimony has not been designated to give context to what is being referred to.	
119:18-121:8	The question is more confusing than probative because testimony has not been designated to give context to what is being referred to.	FRCP 32(a)(6) FRE 401 FRE 403



<b>Jim Dimas (March 13, 2024)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
121:15-122:8		
123:3-124:12		
124:17-125:25	The question is more confusing than probative because testimony has not been designated to give context to what is being referred to.	
126:9-127:1		
128:3-14	The question is more confusing than probative because testimony has not been designated to give context to what is being referred to.	FRCP 32(a)(6) FRE 401 FRE 403
136:22-139:3		
139:18-140:15		
155:2-156:7	The question is more confusing than probative because testimony has not been designated to give context to what is being referred to.	FRCP 32(a)(6) FRE 401/403
159:1-160:22	The question is more confusing than probative because testimony has not been designated to give context to what is being referred to.	FRCP 32(a)(6) FRE 401 FRE 403
162:12-22		
175:12-23		
185:2-21	The question is more confusing than probative because testimony has not been designated to give context to what is being referred to.  Furthermore, the line of re-direct exceeds the scope of cross.	FRCP 32(a)(6) FRE 401 FRE 403 FRE 611

<b>Aprille Flint-Gerner (September 12, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
34:7-18	Relevance.	FRE 401

Aprille Flint-Gerner (September 12, 2023)		
Cite	Objections	Grounds for Objections
44:1-24		
50:22-51:5	Failure to designate sufficient testimony to make the offered designation fair and complete.	FRCP 32(a)(6)
52:20-24		
54:9-19	Failure to designate sufficient testimony to make the offered designation fair and complete.	FRCP 32(a)(6)  <i>See State Defendants' motions in limine</i>
55:4-56:3	Failure to designate sufficient testimony to make the offered designation fair and complete.	FRCP 32(a)(6)
59:17-60:2	Failure to designate sufficient testimony to make the offered designation fair and complete.	FRCP 32(a)(6)
61:2-6		
64:18-25	Failure to designate sufficient testimony to make the offered designation fair and complete.	FRCP 32(a)(6)
73:14-74:3		
75:9-13	Failure to designate sufficient testimony to make the offered designation fair and complete.	FRCP 32(a)(6)  <i>See State Defendants' motions in limine</i>
76:9-24	Failure to designate sufficient testimony to make the offered designation fair and complete.	FRCP 32(a)(6)  <i>See State Defendants' motions in limine</i>
82:24-83:21	Relevance.	FRE 401: relevance
86:4-11		
98:23-99:21		
102:12-19	Relevance; hearsay.	FRE 401 FRE 802 <i>See State Defendants' motions in limine</i>
106:25-107:13		
109:12-15		

<b>Aprille Flint-Gerner (September 12, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
<b>Exhibit 1</b>	Hearsay	FRE 802
<b>Exhibit 2</b>	Hearsay	FRE 802
<b>Exhibit 3</b>	Hearsay	FRE 802
<b>Exhibit 4</b>	Hearsay	FRE 802

<b>Sara Fox (September 14, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
22:18-21	Failure to designate question to which answer is responsive.  Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.	FRCP 32(a)(6) FRE 401/403
23:20-23	Failure to designate question to which answer is responsive and stated designation includes only part of deponent's answer.  Without the stated question and only a partial answer, the testimony lacks relevance and is more prejudicial than probative.	FRCP 32(a)(6) FRE 401/403
26:1-3	Failure to designate question to which answer is responsive.  Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.  Lacks foundation.	FRCP 32(a)(6); FRE 401 FRE 403 FRE 602
26:13-16	Failure to designate question to which answer is responsive.  Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.	FRCP 32(a)(6) FRE 401 FRE 403
27:18-25		

Sara Fox (September 14, 2023)		
Cite	Objections	Grounds for Objections
28:2-15		
29:20-25	<p>Failure to designate question to which answer is responsive.</p> <p>Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6) FRE 401 FRE 403</p>
31:23-25	<p>Failure to designate question to which answer is responsive and stated designation includes only part of deponent's answer, however, complete answer is part of the following designation.</p> <p>Without the stated question and only a partial answer, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6) FRE 401 FRE 403</p>
32:1-8	<p>Failure to designate question to which answer is responsive and stated designation includes only part of deponent's answer; however, complete answer is part of prior designation .</p> <p>Without the stated question and only a partial answer, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6) FRE 401 FRE 403</p>
36:1-3	<p>Failure to designate question to which answer is responsive.</p> <p>Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6) FRE 401 FRE 403</p>
36:13-24	<p>Failure to designate question to which answer is responsive.</p> <p>Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6) FRE 401 FRE 403</p>
36:22-37:3	<p>Failure to designate question to which answer is responsive, however, question is part of prior designation.</p>	<p>FRCP 32(a)(6) FRE 401 FRE 403</p>

Sara Fox (September 14, 2023)		
Cite	Objections	Grounds for Objections
	Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.	
37:5-17		
37:25-38:4		
38:10-17		
40:6-8		
41:8-16	<p>Failure to designate question to which answer is responsive.</p> <p>Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.</p> <p>Designated testimony lacks complete answer.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 106</p> <p>FRE 401/403</p>
42:2-11	<p>Failure to designate question to which answer is responsive.</p> <p>Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>
42:15-25	<p>Failure to designate question to which answer is responsive and stated designation includes only part of deponent's answer; however, additional answer is part of the next designation.</p> <p>Without the stated question and only a partial answer, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>
43:1-11	<p>Failure to designate question to which answer is responsive and stated designation includes only part of deponent's answer; however, question is part of prior designation.</p> <p>Without the stated question and only a partial answer, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>
43:13-20	Additional testimony is needed to provide context to designated question and answer; however, such	FRCP 32(a)(6)

Sara Fox (September 14, 2023)		
Cite	Objections	Grounds for Objections
	additional and necessary designated questions/answers are included within prior transcript designation	
44:9-25	<p>Failure to designate question to which answer is responsive and stated designation includes only part of deponent's answer.</p> <p>Without the stated question and only a partial answer, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>
47:10-19		
48:15-20		
50:14-20		
50:21-51:5		
51:13-19	<p>Failure to designate question to which answer is responsive and stated designation includes only part of deponent's answer.</p> <p>Without the stated question and only a partial answer, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>
53:17-19		
54:6-9	<p>Failure to designate question to which answer is responsive.</p> <p>Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>
58:21-59:8		
60:22-61:3		
64:13-16	<p>Failure to designate question to which answer is responsive and stated designation includes only part of deponent's answer.</p> <p>Without the stated question and only a partial answer, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>

Sara Fox (September 14, 2023)		
Cite	Objections	Grounds for Objections
69:21-70:1		
70:7-12	<p>Failure to designate question to which answer is responsive.</p> <p>Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>
71:3-10	<p>Failure to designate question to which answer is responsive.</p> <p>Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>
71:24-72:1	<p>Failure to designate question to which answer is responsive.</p> <p>Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.</p> <p>Testimony lacks foundation.</p> <p>Designated testimony improperly seeks expert witness opinion of a lay witness.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p> <p>FRE 602</p> <p>FRE 701(a),(c)</p>
72:15-17	Designation is a comment from questioning party who has not been administered oath.	FRE 603
75:25-76:2		
78:16-25	Additional testimony is needed to provide context and without which, the designated testimony is confusing, misleading, or otherwise more prejudicial than probative	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 402</p>
81:17-25	<p>81:17-19: Failure to designate full question to which answer is responsive. Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.</p> <p>81:20-25: Failure to designate question to which answer is responsive and stated designation includes only part of deponent's answer.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>

Sara Fox (September 14, 2023)		
Cite	Objections	Grounds for Objections
	Without the stated question and only a partial answer, the testimony lacks relevance and is more prejudicial than probative.	
83:13-21		
97:21-25	Failure to designate deponent's complete answer.	FRCP 32(a)(6)
100:25-101:1	Failure to designate question to which answer is responsive and stated designation includes only part of deponent's answer. Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.	FRCP 32(a)(6) FRE 401 FRE 403
109:6-8	Failure to designate question to which answer is responsive. Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.  Testimony references an exhibit that witness testifies is illegible, and therefore testimony is more prejudicial than probative.	FRCP 32(a)(6) FRE 401 FRE 403
113:1-15	Designated testimony is unfair and confusing without more complete testimony.	FRCP 32(a)(6) FRE 106
113:19-114:4	Failure to designate full question to which answer is responsive and fails to designate deponent's complete answer. Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.	FRCP 32(a)(6) FRE 401 FRE 403
116:17-20	Failure to designate full question to which answer is responsive and failure to designate deponent's complete answer. Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.	FRCP 32(a)(6) FRE 401 FRE 403
117:18-25	Failure to designate deponent's complete answer; however, complete answer is included within the additional deposition designation below.	FRCP 32(a)(6) FRE 401 FRE 403
118:1-10	Failure to designate full question to which answer is responsive and failure to designate deponent's complete answer; however, the complete question	FRCP 32(a)(6) FRE 401 FRE 403



Sara Fox (September 14, 2023)		
Cite	Objections	Grounds for Objections
	and deponent's answer are within above designations.  Further, without the stated question and complete answer, the testimony lacks relevance and is more prejudicial than probative.	
123:1-8		
124:13-125:4		
127:15-19	Failure to designate question to which answer is responsive. Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.	FRCP 32(a)(6) FRE 401 FRE 403
143:18-144:2		
150:25-151:11	Failure to designate question to which answer is responsive.  Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.	FRCP 32(a)(6) FRE 401 FRE 403
153:1-4	Failure to designate question to which answer is responsive and failure to designate deponent's complete answer.  Further, without the stated question and deponent's complete answer, the testimony lacks relevance and is more prejudicial than probative.	FRCP 32(a)(6) FRE 401 FRE 403
154:1-14	Failure to designate question to which answer is responsive.  Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.	FRCP 32(a)(6) FRE 401 FRE 403
165:9-166:4	Testimony lacks foundation, calls for expert opinion of a lay witness, and is therefore more prejudicial than probative.  Testimony calls for speculation.	FRE 602 FRE 401 FRE 403 FRE 701
169:1-11		

Sara Fox (September 14, 2023)		
Cite	Objections	Grounds for Objections
181:25-182:6		
191:22-192:2	<p>Failure to designate question to which answer is responsive.</p> <p>Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>
193:6-25	Failure to designate deponent's complete answer.	<p>FRCP 32(a)(6)</p> <p>FRE 106</p>
199:1-4		
200:13-201:4		
208:3-11	<p>Failure to designate question to which answer is responsive.</p> <p>Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>
210:8-12		
211:6-13		
215:1-7	<p>Failure to designate question to which answer is responsive.</p> <p>Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 106</p> <p>FRE 401</p> <p>FRE 403</p>
217:2-5	<p>Failure to designate question to which answer is responsive and failure to designate deponent's complete answer.</p> <p>Further, without the stated question and complete answer, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>
217:7-11		
230:16-24	Failure to designate complete question to which answer is responsive and failure to designate deponent's complete answer.	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>

Sara Fox (September 14, 2023)		
Cite	Objections	Grounds for Objections
	Further, without the stated question and complete answer, the testimony lacks relevance and is more prejudicial than probative.	
238:8-13		
239:7-12	<p>Failure to designate complete question to which answer is responsive.</p> <p>Further, without the stated question, the testimony lacks relevance and is more prejudicial than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>
<b>Exhibit 1</b>		
<b>Exhibit 2</b>		

Kevin George (December 10, 2020)		
Cite	Objections	Grounds for Objections
General objection	<p>The witness is available for in-person testimony.</p> <p>Mr. George's deposition may not be used at trial for any purpose other than for impeachment or to contradict his testimony under FRCP 32(a)(2).</p> <p>Mr. George is not a party, agent or designee under FRCP 32(a)(3) and Mr. George is not unavailable under FRCP 32(a)(4). Furthermore, witness is not on plaintiffs' witness list.</p>	<p>FRCP 32(a)(3), (4)</p> <p>FRE 802</p>
68:5-21	Failure to designate complete question to which answer is responsive and stated designation includes only part of deponent's answer.	<p>FRE 401</p> <p>FRE 403</p> <p>FRCP 32(a)(6)</p>
188:7-22		
190:7-20	Mistates prior testimony, stated designation includes only part of deponent's answer.	<p>FRE 401</p> <p>FRE 403</p> <p>FRCP 32(a)(6)</p>

Rebecca Jones Gaston (March 15, 2022)		
Cite	Objections	Grounds for Objection
22:12-27:25		
33:17-36:15		
39:17-24		
41:2-42:20		
46:20-48:18		
68:3-73:8		
73:23-78:24		
82:20-84:19		
87:6-92:6		
103:18-108:9		
109:10-111:6		
112:4-22		
125:3-127:5		
129:4-142:23		
137:4-5	<p>Tab 36, 137:4-5</p> <p>This is a plaintiff-created summary document, not authenticated, sufficiently described, or verified for accuracy.</p> <p>This objection was stated on page 137 lines 6-14.</p>	FRE 901
147:16-159:3		
161:3-163:11		
166:10-174:24		
213:23-217:7		
228:5-232:13		
241:13-245:9		
271:18-272:20		

Rebecca Jones Gaston (March 15, 2022)		
Cite	Objections	Grounds for Objection
274:23-275:9		

Rebecca Jones Gaston (June 28, 2022)		
Cite	Objections	Grounds for Objections
62:12-73:22		
73:12-22		
78:1-100:22		
Exhibit 1		
Exhibit 2		
Exhibit 3		
Exhibit 4		
Exhibit 6		
68:5-21		
95:11-98:23	This is not testimony; it is conversation between attorneys relating to document production. There is no testimony by the witness. The lawyer's conversation is not relevant or a proper part of a deposition designation for trial.	FRE 401 FRE 603
188:7-22		
190:7-20		

Kim Keller (September 13, 2023)		
Cite	Objections	Grounds for Objections
11:20-12:16	Failure to designate witness's complete answer as to her job description.	FRCP 32(a)(6)
84:2-86:23	Failure to designate testimony to provide context to answers ( <i>i.e.</i> , job functions of deponent and her team).	FRCP 32(a)(6)
89:13-23	Question asks for speculation; data referred to lack foundation; failure to designate testimony to	FRCP 32(a)(6) FRE 602

Kim Keller (September 13, 2023)		
Cite	Objections	Grounds for Objections
	provide context to answers ( <i>i.e.</i> , job functions of deponent and her team; that witness testified that she would have to make an assumption as to what the data are because she doesn't know).	
91:25-92:24	Failure to designate testimony to provide context to answers ( <i>i.e.</i> , job functions of deponent and her team).	FRCP 32(a)(6)

Deena Loughary (September 11, 2023)		
Cite	Objections	Grounds for Objections
20:15-21:1	Failure to designate testimony to provide context to answers ( <i>i.e.</i> , the full question that the witness is answering).	FRCP 32(a)(6)
21:12-17	Failure to designate the question that the witness is answering. Without the question, the answer lacks relevance and it is more confusing than probative.	FRE 401 FRE 403
25:15-24	Failure to designate the entire question and the entire answer.	FRCP 32(a)(6)
26:13-16	Failure to designate the entire question and the context.  Failure to designate the response to a question.  For both, partial questions and omission of answer results in lack of relevance for designated text and it is more confusing than probative.	FRCP 32(a)(6) FRE 401 FRE 403
28:12-14	Designated testimony is part of an answer without the question. Thus, lacks relevance and is more confusing than probative.	FRCP 32(a)(6) FRE 401 FRE 403
30:10-13	Designated text is question without an answer.  Designation is of a person not administered oath.  Lack of foundation and incomplete hypothetical; question asks witness whether a budget is	FRE 401 FRE 403 FRE 602 FRE 603

<b>Deena Loughary (September 11, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
	<p>necessary to address a topic that is not within the job scope of witness; lacks context.</p> <p>Failure to designate the answer to the question and context make this text irrelevant and more confusing than probative.</p>	
30:25-31:18	<p>Failure to designate the first question.</p> <p>Failure to designate the answer to the last question thus designation is of a person not administered oath.</p> <p>Failure to designate the question to the answer and the answer to the question make 30:25-31:06 and 31:18, respectively, irrelevant and more confusing than probative.</p>	<p>FRE 401 FRE 403 FRE 603</p>
35:9-16	<p>Failure to designate the question and only designating part of the answer and not designating any of the context.</p> <p>Failure to designate the answer to the last question.</p> <p>Failure to designate the question to the answer (and the context) and failure to designate the answer to the last question make 35:09-12 and 35:13-16, respectively, irrelevant and more confusing than probative.</p>	<p>FRE 401 FRE 403 FRCP 32(a)(6)</p>
38:1-4	<p>Failure to designate the question and only designating part of the answer and not designating any of the context.</p> <p>Such failures make the designated text irrelevant and more confusing than probative.</p>	<p>FRCP 32(a)(6) FRE 401 FRE 403</p>
40:20-41:16	<p>Failure to designate the question to the first answer.</p> <p>Failure to provide the context to the answer to explain what the answer refers to.</p> <p>Such failures make the designated text irrelevant and more confusing than probative.</p>	<p>FRCP 32(a)(6) FRE 401 FRE 403</p>

<b>Deena Loughary (September 11, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
46:23	<p>Failure to designate the question.</p> <p>Failure to designate context describing what the question and answer refer to (to a third-party report entered as an exhibit).</p> <p>Lack of foundation; witness did not write the report.</p> <p>Relevance; designated text is merely witness's emotion reaction to data she was not familiar with.</p> <p>Testimony is more confusing than prejudicial.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p>
47:1-3		
48:1-16	<p>Lack of foundation. Witness stated that she did not know why a job position was funded, and questioner proceeded to ask witness her opinion as to why it was funded.</p> <p>Failure to provide preceding question and answer that established witness's lack of knowledge is lack of foundation and also makes the designated text lack relevance and more confusing than probative.</p>	<p>FRCP 32(a)(6)</p> <p>FRE 401</p> <p>FRE 403</p> <p>FRE 602</p>
55:3-7	Failure to designate the question.	FRCP 32(a)(6)
64:19-65:1	<p>Failure to designate the question to the answer in 64:19-22.</p> <p>Failure to designate the answer to the question in 64:25-65:01, thus designation is of a person not administered oath.</p> <p>Such failures make the designated text irrelevant and more confusing than probative.</p>	<p>FRE 401</p> <p>FRE 403</p> <p>FRE 603</p>
68:1-2	Designated text is part of a question, is not a complete sentence, omits the answer, and omits the context of the data on the exhibit that the question is referring to.	<p>FRE 401</p> <p>FRE 403</p> <p>FRE 603</p>



Deena Loughary (September 11, 2023)		
Cite	Objections	Grounds for Objections
	<p>Such failures make the designated text irrelevant and more confusing than probative.</p> <p>And it omits the answer, thus designation is of a person not administered oath.</p>	
70:18-71:6		
71:9-72:1		
72:19-24	<p>Failure to designate the question and to designate the text that explains what the question means.</p> <p>Such failures make the designated text irrelevant and more confusing than probative.</p>	<p>FRE 401 FRE 403</p>
74:2-6		
74:25-75:7		
79:2-5	<p>Fails to provide the complete question, designating just part of the question, an incomplete sentence.</p> <p>Fails to provide context as to what the words in question and answer are referring to (<i>i.e.</i>, an exhibit).</p> <p>Such failures make the designated text irrelevant and more confusing than probative.</p>	<p>FRCP 32(a)(6) FRE 401 FRE 403</p>
80:17-81:5	<p>Fails to provide context as to what the words in question and answer are referring to (<i>i.e.</i>, an exhibit).</p> <p>Such failures make the designated text irrelevant and more confusing than probative.</p>	<p>FRE 401 FRE 403</p>
86:16-87:4		
91:14-92:3	<p>Question and answer discuss numbers that are confusing without additional context describing the data they are referring to. Without the context, original designation is more confusing than probative, and is not relevant because it is confusing as to what it refers.</p>	<p>FRE 401 FRE 403</p>

<b>Deena Loughary (September 11, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
92:5-14		
93:14-94:12	Question and answer discuss terms referred to with pronouns that are confusing without additional context describing the antecedent that they are referring to. Without the context, original designation is more confusing than probative, and is not relevant because it is confusing as to what it refers.	FRE 401 FRE 403
96:17-97:3	Question and answer lack context as to what they are discussing, which is in the prior question and answer. Without the context, the designated text irrelevant and more confusing than probative.	FRE 401 FRE 403
97:11-98:5		
98:23-99:10		
106:23-25	Question and answer lack context as to what they are discussing, which is in the prior question and answer. Without the context, the designated text irrelevant and more confusing than probative.	FRE 401 FRE 403
109:2-14	Fails to provide the question.  Fails to provide the complete answer, which is the following question and answer clarification.  Without the context, the designated text irrelevant and more confusing than probative.	FRE 401 FRE 403
110:7-12		
114:24-115:5		
115:13-19	Fails to provide the question.  Without the context, the designated text irrelevant and more confusing than probative.	FRE 401 FRE 403
116:8-24		
118:20-119:5		
121:23-122:21	Lacks context to explain the email that the designated text is referring to.	FRE 401 FRE 403

<b>Deena Loughary (September 11, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
	Without the context, the designated text irrelevant and more confusing than probative.	
134:8-19	Lacks an answer to the last question.  Without the context, the designated text irrelevant and more confusing than probative.	FRE 401 FRE 403
135:7-22	Question uses a pronoun, “it”, without the antecedent and the entire context is more confusing than probative without it.	FRE 403
154:5-14	Lacks context concerning the email referred to.	FRE 401 FRE 403
155:17-23		
156:8-11		
159:8-18	Failure to designate the question and to designate the text that explains what the question means.  Such failures make the designated text more confusing than probative.	FRE 403
160:19-161:16		
165:20-25	Failure to designate the question and the preceding question and answer that describe the exhibit that the designated text refers to.  Such failures make the designated text more confusing than probative	FRE 403
167:23-168:7	Failure to designate the preceding question and answer that describe the exhibit that the designated text refers to.  Such failures make the designated text more confusing than probative	FRE 403
169:8-11	Failure to designate the preceding question and answer that describe the exhibit that the designated text refers to.  Such failures make the designated text more confusing than probative.	FRE 403

<b>Deena Loughary (September 11, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
169:20-170:19	Question and answer use “that’s” and “it’s” without the antecedents to explain what is being referred to, and the designated text is more confusing than probative without the antecedents.	FRE 403
175:7-14	The designated text refers to data and to strategies described in prior questions and answers, which are omitted. The text is more confusing than probative without the omitted prior text.	FRE 403
176:8-23	The designated text refers to data described in prior questions and answers, which are omitted. The text is more confusing than probative without the omitted prior text.	FRE 403
179:13-21	The designated text refers to an exhibit and to a person as “her” described in prior questions and answers, which are omitted. The text is more confusing than probative without the omitted prior text.	FRE 403
181:15-25	Designated text does not provide the complete answer.	FRE 401 FRE 403
181:1-4	Designated text is a fragment of a question without an answer. Thus this designation is of a person not administered oath.	FRE 401 FRE 403 FRE 603
184:4-25	The designated text refers to exhibits described in prior questions and answers, which are omitted. The text is more confusing than probative without the omitted prior text.	FRE 403
185:1-22		
191:25-192:7	The question and answer refer to an exhibit not designated. The text is more confusing than probative without the omitted prior text.	FRE 403
193:2-12	The question and answer refer to an exhibit not designated. The text is more confusing than probative without the omitted prior text.	FRE 403
198:14-21	The designated text refers to a person as “she” described in prior questions and answers, which are omitted. The text is more confusing than probative without the omitted prior text.	FRE 403

<b>Deena Loughery (September 11, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
207:25-208:13		
213:25-214:10	Designated text is questioner informing the witness of the questioner's plan in asking other questions, which are not themselves designated. Thus this designation is of a person not administered oath.	FRE 603
226:12-227:6	This is a clarification question and omits the preceding initial question and answer. The text is more confusing than probative without the omitted prior text.	FRE 403
230:22-231:23	This is a follow-up question and omits the preceding initial question and answer. The text is more confusing than probative without the omitted prior text.	FRE 403
232:22-233:5	Designated text fails to provide the complete answer, which are provided in the subsequent question and answer. The text is more confusing than probative without the omitted subsequent text.	FRE 403
<b>Loughery Deposition Ex. 1</b> (CPS Assessment Comparison Report May 2022)		
<b>Loughery Deposition Ex. 2</b> (CPS Assessment Fidelity Review Report May 2022)		

Deena Loughery (September 11, 2023)		
Cite	Objections	Grounds for Objections
<b>Loughery Deposition Ex. 3</b> (Email exchange re child fatality with no assessment)		
<b>Loughery Deposition Ex. 4</b> (December 2022 email with child welfare director regarding timely assessments)		
<b>Loughery Deposition Ex. 5</b> (January 2023 email re overdue assessments)		
<b>Loughery Deposition Ex. 8</b> (January 2023 Mancuso email with vacancy rate concerns)		
<b>Loughery Deposition Ex. 10</b> (December 2022 email		

<b>Deena Loughery (September 11, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
describing child with disabilities being dropped off at Amtrak)		
<b>Loughery Deposition Ex. 12</b> (Child Welfare Data Book 2021)		
<b>Loughery Deposition Ex. 14</b> (NCAS maltreatment data for Oregon)		
<b>Loughery Deposition Ex. 16</b> (Chart depicting the number of critical incidents from 2004 to 2022)		

<b>Glenda Marshall (September 7, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
General Objection	Ms. Marshall's deposition may not be used at trial for any purpose other than for impeachment or to contradict her testimony under FRCP 32(a)(2). Ms. Marshall is not a party, agent or designee under FRCP 32(a)(3) and Ms. Marshall is not	FRCP 32(a)(2)-(4)

<b>Glenda Marshall (September 7, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
	unavailable under FRCP 32(a)(4). Furthermore, witness is not on plaintiffs' witness list.	
10:16-25		
11:1-16		
11:22-25		
12:1-17		
20:17-25	Quotes document without including source or description of the document being quoted, making testimony vague, and more prejudicial than probative.	FRE 401 FRE 403 FRE 901 FRCP 32(a)(6)
21:1-14	Quotes document without including source or description of the document being quoted, making testimony vague, and more prejudicial than probative.	FRE 401 FRE 403 FRE 901 FRCP 32(a)(6)
24:9-22	Quotes document without including source or description of the document being quoted, making testimony vague, and more prejudicial than probative.	FRE 401 FRE 403 FRE 901 FRCP 32(a)(6)
25:23-25	Designation is a partial designation of a question without a corresponding designation of an answer and is thus more confusing than probative.	FRCP 32(a)(6) FRE 403
26:1-6		
26:13-25		
27:1-19		
28:7-18	Quotes document without including source or description of the document being quoted, making testimony vague, and more prejudicial than probative.	FRE 401 FRE 403 FRE 901 FRCP 32(a)(6)
30:17-25		
31:1-8		
38:12-23		
46:17-25		
47:1-48:1		
52:4-25		



<b>Glenda Marshall (September 7, 2023)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
53:1-25		
54:1-22		
63:20-25	Quotes document without including source or description of the document being quoted, making testimony vague, and more prejudicial than probative.	FRE 401 FRE 403 FRCP 32(a)(6)
64:1-25		
65:1-17		
73:15-74:1		
80:5-25		
81:1-24		
92:2-25	Quotes document without including source or description of the document being quoted, making testimony vague, and more prejudicial than probative.	FRE 401 FRE 403 FRE 901 FRCP 32(a)(6)
93:1-12	Quotes document without including source or description of the document being quoted, making testimony vague, and more prejudicial than probative.	FRE 401 FRE 403 FRE 901 FRCP 32(a)(6)
99:18-25	Quotes document without including source or description of the document being quoted, making testimony vague, and more prejudicial than probative.	FRE 401 FRE 403 FRE 901 FRCP 32(a)(6)
100:1-25	Quotes document without including source or description of the document being quoted, making testimony vague, and more prejudicial than probative.	FRE 401 FRE 403 FRE 901 FRCP 32(a)(6)
101:1-16	Quotes document without including source or description of the document being quoted, making testimony vague, and more prejudicial than probative.	FRE 401 FRE 403 FRE 901 FRCP 32(a)(6)
102:2-19		
132:20-24		
178:16-22		

**Bowen McBeath (April 19, 2024)**

<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
Transcript Not Yet Available		

**Stacey Moss (March 18, 2024)**

<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
General objection	Ms. Moss' deposition may not be used at trial for any purpose other than for impeachment or to contradict her testimony under FRCP 32(a)(2). Ms. Moss is not a party, agent or designee under FRCP 32(a)(3) and Ms. Moss is not unavailable under FRCP 32(a)(4). Furthermore, witness is not on plaintiffs; witness list.	FRE 613 FRE 802
35:14-19		
36:1-3	Failure to designate question to which answer is responsive and stated designation includes only part of deponent's answer.	FRCP 32(a)(6).
38:4-25		
39:1-3		
44:11-25		
161:23-25		
162:11-25	With respect to 162:11-20, this designation does not contain the testimony of Ms. Moss, and further relates to plaintiffs' attempt to discover internal expert communications.	FRCP 26(4)(D). The Court ruled against plaintiffs on that issue. <i>See</i> Dkt. 367.
163:1-15		
164:11-14		

**Fariborz Pakseresht (September 15, 2023)**

<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
14:13-18:4		

Fariborz Pakseresht (September 15, 2023)		
Cite	Objections	Grounds for Objections
21:7-22:16		
26:21-28:2		
32:2-33:13		
35:3-36:19		
44:23-47:4		
55:3-57:15		
63:8-66:13		
67:18-68:20		
69:2-72:1		
72:22-76:1		
76:4-80:21		
80:22-85:7		
88:2-89:4		
Exhibit 4		
Exhibit 5		
Exhibit 13		
Exhibit 14		
Exhibit 15		
Exhibit 16		
Exhibit 17		
Exhibit 18	<p>79:20- 80: 21.</p> <p>The exhibit was misrepresented to the witness as a federal document, when in fact it was a summary prepared by plaintiff counsel, without authentication or verification of accuracy.</p>	FRE 901

<b>Cynthia Richter-Jackson (March 29, 2024)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
Transcript Not Yet Available		

<b>Peter Rosenblatt (December 17, 2020)</b>		
<b>Cite</b>	<b>Objections</b>	<b>Grounds for Objections</b>
General Objection	Witness is “available” for trial and is not a defendant or high ranking official.	FRCP 32(a)(4)
16:23-25		
17:1-18:1		
43:18-25	Vague as to the word “refused”	FRCP 30(c)(2)
44:1-6		
45:3-13		
53:17-25	Failure to designate sufficient testimony necessary to make the offered designation fair and complete.	FRCP 32(a)(6)
54:1-25	Failure to designate sufficient testimony necessary to make the offered designation fair and complete.	FRCP 32(a)(6)
55:1-8	Failure to designate sufficient testimony necessary to make the offered designation fair and complete.	FRCP 32(a)(6)
56:3-10	Assumes facts not in evidence and vague re “abuse and neglect allegations coming out of other Sequel facilities”; failure to establish proper foundation that witness had personal knowledge of “abuse and neglect allegations coming out of other sequel facilities.”	FRCP 30(c)(2) FRE 602
111:12-21	Failure to designate sufficient testimony to make the offered designation fair and complete.	FRCP 32(a)(6)
173:-20	Failure to designate sufficient testimony to make the offered designation fair and complete.	FRCP 32(a)(6)

Sarah Vinson (April 25, 2024)		
Cite	Objections	Grounds for Objections
Transcript Not Yet Available		

Desta Walsh (February 26, 2021)		
Cite	Objections	Grounds for Objections
22:13 – 23:17		
29:8 – 29:17		
30:6 – 32:25		
33:1 – 33:20		
33:21 – 35:11		
35:12 – 36:20		
36:21 – 37:3		
37:4 – 37:23		
37:24 – 38:14		
38:15 – 39:24		
46:5 – 47:6		
48:13 – 48:22		
48:23 – 50:20		
50:21 – 51:13		
52:10 – 53:11		
53:12 – 53:25		

Desta Walsh (February 26, 2021)		
Cite	Objections	Grounds for Objections
54:1 – 54:23		
56:9 – 57:8		
57:9 – 57:16		
57:17 – 59:4		
61:11 – 62:2	<p>Stated designation includes only part of deponent's answer.</p> <p>With only a partial answer, the testimony lacks relevance and is more prejudicial than probative.</p>	FRCP 32(a)(6) FRE 401/403
62:3 – 63:7	<p>Stated designation includes only part of deponent's answer.</p> <p>With only a partial answer, the testimony lacks relevance and is more prejudicial than probative.</p>	FRCP 32(a)(6) FRE 401/403
63:8 – 63:19	<p>Stated designation includes only part of deponent's answer.</p> <p>With only a partial answer, the testimony lacks relevance and is more prejudicial than probative.</p>	FRCP 32(a)(6) FRE 401/403
63:20 – 64:10		
71:14 – 72:17		
72:18 – 75:3		
75:4 – 75:10		
75:11 – 75:16		
75:17 – 75:20		
75:21 – 75:20		
76:1 – 76:22		
77:25 – 78:6		
81:18 – 82:12		

Desta Walsh (February 26, 2021)		
Cite	Objections	Grounds for Objections
83:15 – 85:7		
85:8 – 85:19		
86:4 – 87:20		
88:14 – 89:8		
89:22 – 90:12		
90:13 – 90:23		
90:24 – 91:14		
92:18 – 93:1		
93:6 – 93:22		
95:4 – 95:25		
96:1 – 97:18		
97:19 – 99:4		
107:8 – 108:21		
108:22 – 109:2		
109:22 – 110:12		
120:10 – 121:21		
121:22 – 122:22		
122:23 – 123:12		
125:15 – 126:6		
126:7 – 127:9		
127:10 – 128:3		

Desta Walsh (February 26, 2021)		
Cite	Objections	Grounds for Objections
136:1 – 136:24		
136:25 – 137:15		
137:18 – 139:4		
139:8 – 141:12		
141:13 – 142:12		
143:9 – 143:18		
144:7 – 144:10		
145:6 – 146:4		
146:7 – 147:10		
147:11 – 147:24		
148:7 – 148:16		
148:17 – 149:	Incomplete designation.	FRCP 32(a)(6) FRE 401 FRE 403
150:1 – 151:25		
152:6 – 153:13		
153:16 – 154:12		
156:4 – 157:21		
159:11 – 159:21		



Desta Walsh (February 26, 2021)		
Cite	Objections	Grounds for Objections
158:4 – 158:25		
159:24 – 160:9		
160:14 – 161:18		
162:4 – 163:6		
163:7 – 163:25		
171:12 – 172:5		
172:13 – 173:22		
173:23 – 174:10		
174:22 – 176:7		
177:1 – 178:9		
178:15 – 180:14		
191:10 – 192:14		
193:25 – 195:10		
195:17 – 196:10		
199:12 – 199:16		
200:5 – 200:25		
201:1 – 201:24		

Desta Walsh (February 26, 2021)		
Cite	Objections	Grounds for Objections
202:12 – 202:25		
203:17 – 204:9		
204:10 – 205:16		
205:17 – 206:6		
206:9 – 208:3		
208:23 – 210:4		

DATED: April 26, 2024.

ELLEN ROSENBLUM  
ATTORNEY GENERAL  
FOR THE STATE OF OREGON

*s/Laura Salerno Owens*

---

David B. Markowitz, OSB #742046  
DavidMarkowitz@MarkowitzHerbold.com  
Laura Salerno Owens, OSB #076230  
LauraSalerno@MarkowitzHerbold.com  
Harry B. Wilson, OSB #077214  
HarryWilson@MarkowitzHerbold.com  
Lauren F. Blaesing, OSB #113305  
LaurenBlaesing@MarkowitzHerbold.com  
Vivek A. Kothari, OSB #182089  
VivekKothari@MarkowitzHerbold.com  
*Special Assistant Attorneys General for Defendants*

Adele J. Ridenour, OSB #061556  
AdeleRidenour@MarkowitzHerbold.com  
*Of Attorneys for Defendants*

Carla A. Scott, OSB #054725  
carla.a.scott@doj.state.or.us  
Sheila H. Potter, OSB #993485  
sheila.potter@doj.state.or.us  
*Of Attorneys for Defendants*

2135525.2